

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF VIRGINIA
(Alexandria Division)**

In re: Kraig Scott Sullivan)	
Donna Lynn Sullivan)	Bankruptcy No. 09-18772-RGM
Debtor)	Chapter 11

StellarOne Bank)
)
Movant)
)
v.)
)
Kraig Scott Sullivan)
Donna Lynn Sullivan)
)
Respondents)
)

ORDER CONDITIONING RELIEF FROM STAY

THIS MATTER came before the Court on the motion of StellarOne Bank, to terminate the automatic stay with respect to three properties owned by the Debtors, Kraig and Donna Sullivan, and a response having been filed by the Debtors; the Court conducted a hearing on August 4, 2010, appearance having been made by counsel for the Movant and the Respondents, and Court having considered the pleadings and exhibits tendered, as well as the stipulations of the Movant and the Respondents, and the argument made by counsel for both parties, it is hereby

ORDERED that the automatic stay imposed by 11 U.S.C. §362 is TERMINATED with respect to the real property located at 103 Truslow Rd, Fredericksburg, VA, and more particularly described as follows:

Proponent of Order
Matthew D. Huebschman
P O Box 75, Roanoke, VA 24002

All that certain tract or parcel of land, together with all buildings and improvements thereon and privileges thereto attached, situate, lying and being in Falmouth District (formerly Hartwood District), Stafford County, Stafford County, Virginia on Route 652 known as Truslow Road, and being described as Tract "A" on the plat of a re-survey of Lots 18, 19, 20 and 21 of Fall Run park, prepared by J.C. Russell, C.S. dated May 26, 1958, a copy of which plat is recorded in the Clerk's Office of the Circuit Court of Stafford County, Virginia, in Deed Book 137, page 427.

to permit the movant and its successors and assigns to enforce the lien of its deed of trust, which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary to obtain possession of the property. It is further

ORDERED that with respect to the other two properties in which the Movant sought relief from the automatic stay, 507 Weedon Street, Fredericksburg, Virginia which is more particularly described as

PARCEL ONE: All that certain lot or parcel of land, situate, lying and being in the City of Fredericksburg, Virginia, containing 1,897 square feet and more particularly shown and described as Parcel "A" on Plat of Subdivision and Property Line Adjustment dated January 26, 1998, prepared by Darrell M. Caldwell, which plat is duly recorded in the Clerk's office of the Circuit Court of the City of Fredericksburg, Virginia in Plat Book 9, pages 128 and 129.

PARCEL TWO: All that certain lot or parcel of land, situate, lying and being in the City of Fredericksburg, Virginia, containing 90 square feet and more particularly shown and described on Plat H. Aubrey Hawkins Associates, dated March 11, 1009, which plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia, with Deed in Deed Book 311, Page 469.

and 1907 Charles Street, Fredericksburg, Virginia, which is more particularly described as

All that certain lot, with all buildings and appurtenances, situate, lying and being on the East side of Charles Street, between Cromwell Street and Virginia Avenue, in the City of Fredericksburg, Va., designated as Lot 83 on Map of the Brulle Subdivision made by W. N. Hamlet in April, 1925, recorded in Deed Book 98 at Page 193, in the Circuit Court of the County of Spotsylvania, VA., (The property herein conveyed having formerly been in Spotsylvania County, annexed to and made a part of the City of Fredericksburg). Lot No. 83 fronting 36.5 feet on the East side of Charles Street and running back on the North side 136 feet, and on the South side 137.125 feet.

the automatic stay imposed by 11 U.S.C. §362 is conditioned upon the confirmation of the Debtors' Chapter 11 Plan on or before October 29, 2010; upon the failure of the Debtor to obtain confirmation by that date, the automatic stay will be TERMINATED with respect to these two properties, and the movant and its successors and assigns may enforce the lien of its deed of trust as it pertains to the real property located at 507 Weedon Street, Fredericksburg, Virginia and 1907 Charles Street, Fredericksburg, Virginia which relief shall extend to the purchaser at the foreclosure sale to allow the purchaser to take such action under state law, as may be necessary to obtain possession of the property.

ENTERED this ____ day of _____, 2010.

United States Bankruptcy Judge

I ask for this:

/s/ Matthew D. Huebschman
Matthew D. Huebschman, Esq. VSB. 44181
Of Counsel to Plaintiff
SHENANDOAH LEGAL GROUP, P.C.
Post Office Box 75
Roanoke, Virginia 24002

Seen:

/s/ Robert Easterling
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(540)373-5030

Copy to:
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Jack Frankel
Office of the U.S. Trustee
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Alexandria, VA 22314
Copy Mailed to:

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Fredericksburg, VA 22406-5138

Donna Lynn Sullivan
3115 Linden Avenue
Fredericksburg, VA 22401-0000

CERTIFICATE OF SERVICE AND ENDORSEMENT

I, Matthew D. Huebschman, Esq., certify that

☐ Pursuant to L. R. 9022-1(C)(2) the proposed order has been served on all necessary parties by first class mail, postage prepaid this _____ day of August, 2010.

☒ Pursuant to L.R. 9022-1(C)(1) the proposed order has been endorsed by all necessary parties.

☐ Pursuant to L.R. 9022-1(E), all necessary parties have endorsed and consented to this Order.

/s/ Matthew D. Huebschman
Matthew D. Huebschman, Esq.